

**STATEMENT CLAIMING
SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27 (c))
SMALL BUSINESS CONCERN**

Attorney Docket	REDL-002
First Named Inventor	Patrick Englebienne
Application Number	N/A
Filing Date	Herewith
Title	Methods and Compositions for Use

I hereby state that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: R.E.D. Laboratories N.V.,
 ADDRESS OF SMALL BUSINESS CONCERN: Kranenberg 6, 1731 Zellik, Belgium

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

Methods and Compositions for Use in the Diagnosis and Treatment of Chronic Immune Disease

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or by a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

NAME: _____

ADDRESS: _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

SIGNATURE

C.V. Herst

DATE: 23 August 02

NAME OF PERSON SIGNING: C.V. Herst

TITLE IN ORGANIZATION OF PERSON SIGNING: Managing Director

ADDRESS OF PERSON SIGNING: RED laboratories NV, Kranenberg 6, 1731 Zellik, Belgium

00645071.082300

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <u>Declaration</u> Submitted with Initial Filing OR <u>Declaration</u> Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	REDL-002
	First Named Inventor	Patrick Englebienne
	COMPLETE IF KNOWN	
	Application Number	N/A
	Filing Date	Herewith
	Group Art Unit	N/A
Examiner Name	N/A	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND COMPOSITIONS FOR USE IN THE DIAGNOSIS AND TREATMENT OF CHRONIC IMMUNE DISEASE

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined by 37 CFR 1.56.

Insofar as the subject matter of each of the claims of this application are not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designating at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed.

filing date before that of the application(s) of which priority is claimed.					
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO

I hereby claim the benefit under 35 U.S.C. 119(c) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application(s) designating the United States of America, listed below.

designating the United States of America, listed below.		
U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

091645071 0812300

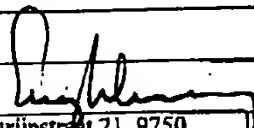
Atty Dkt No. REDL-0002 44

DIRECT ALL CORRESPONDENCE TO:

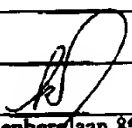
Name	Bret E. Field				
Address	BOZICEVIC, FIELD & FRANCIS LLP				
Address	200 Middlefield Road, Suite 200				
City, State, Zip	Menlo Park, CA 94025				
Country	U.S.A.	Telephone	650-327-3400	Facsimile	650-327-3231

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

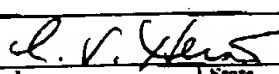
Name of Sole or First Inventor:

Given Name (first and middle (if any))				Family Name or Surname			
Patrick				Englebienne			
Inventor's Signature				Date	23 Aug 00		
Residence: City	Strijpstraat 21, 9750 Zingem	State		Country	Belgium	Citizenship	Belgium
Post Office Address	RED Laboratories, N.V.						
City	1731 Zellik	State		Zip		Country	Belgium

Name of Second Inventor:

Given Name (first and middle (if any))				Family Name or Surname			
Kenny Leo				De Meirleir			
Inventor's Signature				Date	23 Aug 00		
Residence: City	Stuivenberglaan 89, 2800 Mechelen	State		Country	Belgium	Citizenship	Belgium
Post Office Address	RED Laboratories, N.V.						
City	1731 Zellik	State		Zip		Country	Belgium

Name of Third Inventor:

Given Name (first and middle (if any))				Family Name or Surname			
C.V.				Herst			
Inventor's Signature				Date	23 Aug 00		
Residence: City	Oakland	State	CA	Country	USA	Citizenship	USA
Post Office Address	RED Laboratories, N.V.						
City	1731 Zellik	State		Zip		Country	Belgium

F:\forms\word 2k forms\decl by inventors.doc

09645071.082300

